

Justice Department Sues Snepp Over Secrecy Oath

The Justice Department has brought suit against former CIA analyst Frank Snepp, author of "Decent Interval" (Random House), for breach of contract involving the secrecy oath he took as a condition of employment by the Agency. The suit, filed on February 15 at the urging of the CIA, seeks damages from Snepp for making unauthorized use of classified materials in his account of the fall of Saigon. The thrust of the action, brought in U.S. District Court for the Eastern District, Virginia, is to determine the validity of secrecy oaths taken by employees of the intelligence agencies.

The Government has been considering bringing suit against the 34-year-old former CIA employee since last fall when his book appeared. It turned thumbs down on any move to suppress distribution of the book. Officials want a court test of the validity of secrecy oaths, which have been circumvented by other authors in other ways.

Victor Marchetti submitted the manuscript of "The Cult of Intelligence," another Random House book, to the CIA for review and then published it with deletions. Philip Agee simply left the United States to write and publish "Inside the Company" (Stonehill Publishing Co. and Bantam Books). The American Civil Liberties Union argued in the Marchetti case that CIA secrecy oaths will not stand the First Amendment test. The Supreme Court denied review in that case and Marchetti remains under court order to submit works embodying CIA work-related material to the Agency for review.

